

Article - Business Regulation

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§5–102.

(a) The registration and permitting provisions of this title do not apply to:

(1) a person that owns and operates a bona fide religious–nonprofit cemetery in this State;

(2) a cemetery owned by a nonprofit organization created before 1900 by an act of the General Assembly;

(3) a county, city, or municipal corporation that owns and operates a cemetery in the State;

(4) a veterans’ cemetery operated by the State; or

(5) a private family cemetery that does not conduct public sales.

(b) This title does not apply to:

(1) the operation of a funeral establishment, including the sale of burial goods in the ordinary course of the funeral establishment’s business;

(2) the operation or ownership of a crematory in which a person who is licensed and regulated under Title 7 of the Health Occupations Article owns a greater percentage of the crematory than a registered cemeterian, registered seller, or holder of a permit for the operation of a cemetery or burial goods business;

(3) the operation or ownership of a crematory or incinerator at a licensed medical facility or educational institution;

(4) a licensed funeral director acting within the scope of the funeral director’s license; or

(5) a mortician acting within the scope of the mortician’s license.

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